



HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

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LAW DEPARTMENT
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MARTHA NIMMER
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September 28, 2023

VIA ECF

Hon. Katherine Polk Failla
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

MEMO ENDORSED

Re: *R.J. v. N.Y.C. Dep't of Education*, 23-cv-3043 (KPF)(GWG)

Dear Judge Failla:

I am a Special Assistant Corporation Counsel in the office of Corporation Counsel, the Hon. Sylvia O. Hinds-Radix, attorney for Defendant in the above-referenced action, wherein Plaintiff seeks solely attorneys' fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act ("IDEA"), 20 U.S.C. §1400, *et seq.*, as well as for this action.

I write to respectfully request that the October 4, 2023 conference be adjourned *sine die*, and that the parties be allowed to submit a further joint status letter by November 6, 2023. Plaintiff consents to this request. This is the first request to adjourn the conference *sine die*. The parties have been engaged in active settlement negotiations, and an adjournment will permit the parties to continue settlement discussions. The parties are hopeful that they can settle this matter without further burden on the Court's time.

Accordingly, the parties request that the October 4, 2023 conference be adjourned *sine die*, and that they be allowed to submit a further joint status letter by November 6, 2023. Thank you for considering these requests.

Respectfully submitted,

/s/

Martha Nimmer, Esq.
Special Assistant Corporation Counsel

cc: Kevin Mendillo, Esq. (via ECF)

Application GRANTED. The initial pretrial conference scheduled for October 4, 2023 is hereby ADJOURNED sine die.

The parties are hereby ORDERED to submit a joint status update regarding their ongoing settlement negotiations on or before **November 6, 2023**.

The Clerk of Court is directed to terminate the motion at docket entry 14.

Dated: September 28, 2023
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE